



**AN BILLE UM AN OIREACHTAS (LIUNTAIS DO
CHOMHALTAÍ) AGUS OIFIGÍ AIREACHTA AGUS
PARLAIMINTE (LEASU), 1960.**

**OIREACHTAS (ALLOWANCES TO MEMBERS) AND
MINISTERIAL AND PARLIAMENTARY OFFICES
(AMENDMENT) BILL, 1960.**

*Mar a ritheadh ag dhá Theach an Oireachtais.
As passed by both Houses of the Oireachtas.*

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OIREACHTAS (ALLOWANCES TO MEMBERS) AND
MINISTERIAL AND PARLIAMENTARY OFFICES
(AMENDMENT) BILL, 1960.

5

BILL

entitled

AN ACT TO AMEND THE OIREACHTAS (ALLOWANCES
TO MEMBERS) ACTS, 1938 AND 1947, AND THE
MINISTERIAL AND PARLIAMENTARY OFFICES
ACTS, 1938 TO 1952. 10

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

PART I.

PRELIMINARY.

15

Short title.

1.—This Act may be cited as the Oireachtas (Allowances to
Members) and Ministerial and Parliamentary Offices (Amendment)
Act, 1960.

Commencement.

2.—This Act shall come into operation on such day as the
Minister for Finance appoints by order. 20

PART II.

AMENDMENT OF OIREACHTAS (ALLOWANCES TO MEMBERS) ACTS, 1938 AND 1947.

Interpretation
and collective
citation.
1938, No. 34.

3.—(1) In this Part of this Act “the Principal Act” means
the Oireachtas (Allowances to Members) Act, 1938. 25

(2) The Oireachtas (Allowances to Members) Acts, 1938 and
1947, and this Part of this Act may be cited together as the
Oireachtas (Allowances to Members) Acts, 1938 to 1960.

Amendment of
section 3 of
Principal Act.

4.—The following section is hereby substituted for section 3 of
the Principal Act: 30

“ (1) The allowance to be paid to each member of Dáil
Éireann under this Act shall be an allowance at the rate of
£1,000 per annum payable monthly.

(2) The allowance to be paid to each member of Seanad
Éireann under this Act shall be an allowance at the rate of 35
£750 per annum payable monthly.

(3) Where a member of the Oireachtas holds the office of
Attorney General, the salary for the time being payable to
him by virtue of his holding that office shall be deemed to
include the allowance payable to him under this Act, and 40

accordingly he shall not, while he is in receipt of a salary in respect of that office, be entitled to any further allowance under this Act.

5 (4) No provision in any British statute or in any Saorstát Éireann statute or in any Act of the Oireachtas (whether passed before or after the passing of this Act) whereby any pension payable out of the Central Fund or moneys provided by the Oireachtas is liable to be suspended or abated, wholly or in part, in the event of the pensioner being in receipt of payments (by whatever name called in such statute or Act) out of moneys provided or to be provided by the Oireachtas shall, unless the contrary is expressly enacted therein, operate so as to require suspension or abatement of any such pension by reference to an allowance payable under this Act."

15 5.—The following section is hereby inserted in the Principal Act after section 6:

Deductions for contributory pensions schemes.

"6A. (1) This section applies to a scheme for pensions for members of the Oireachtas which complies with the following conditions:

- 20 (a) the scheme has been made by a joint committee of both Houses of the Oireachtas,
- (b) the scheme has been approved of by resolution of each House of the Oireachtas,
- 25 (c) the scheme provides for the pensions thereunder being paid out of a fund to be held by trustees and maintained by means of contributions paid by all members of the Oireachtas.

(2) A scheme to which this section applies shall have effect in accordance with its terms and the Minister shall, in accordance with regulations, make deductions from the allowances paid under this Act to members of the Oireachtas and pay the deductions into the fund maintained pursuant to the scheme.

30 (3) The Minister may make regulations for the purposes of this section and the regulations shall be laid before each House of the Oireachtas as soon as may be after they are made."

6.—Section 3 of the Oireachtas (Allowances to Members) (Amendment) Act, 1947, is hereby repealed.

Repeal.
1947, No. 23.

40 PART III.

AMENDMENT OF MINISTERIAL AND PARLIAMENTARY OFFICES ACTS, 1938 TO 1952.

7.—(1) In this Part of this Act "the Principal Act" means the Ministerial and Parliamentary Offices Act, 1938.

Interpretation and collective citation.
1938, No. 38.

45 (2) The Ministerial and Parliamentary Offices Act, 1938, the Ministerial and Parliamentary Offices (Amendment) Act, 1949, the Ministerial and Parliamentary Offices (Amendment) Act, 1952, and this Part of this Act may be cited together as the Ministerial and Parliamentary Offices Acts, 1938 to 1960.

1949, No. 21.
1952, No. 19.

50 8.—The following subsection is hereby substituted for subsection (1) of section 3 of the Principal Act:

Amendment of section 3 of Principal Act.

"(1) There shall be paid to the Taoiseach an annual sum by way of salary not exceeding £3,000 and to each other member of the Government an annual sum by way of salary not exceeding the sum of £2,000."

Amendment of
section 4 of
Principal Act.

9.—The following section is hereby substituted for section 4 of the Principal Act :

“ 4. There shall be paid to the Attorney General an annual sum by way of salary not exceeding the sum of £3,500.”

Amendment of
section 5 of
Principal Act.

10.—The following subsection is hereby substituted for sub- 5
section (1) of section 5 of the Principal Act :

“ (1) There shall be paid to the Chairman of Dáil Éireann an annual sum by way of salary not exceeding the sum of £2,000, and to the Deputy Chairman of Dáil Éireann an annual sum by way of salary not exceeding the sum of £850.” 10

Amendment of
section 6 of
Principal Act.

11.—The following subsection is hereby substituted for sub-
section (1) of section 6 of the Principal Act :

“ (1) There shall be paid to the Chairman of Seanad Éireann an annual sum by way of salary not exceeding the sum of £1,250, and to the Deputy Chairman of Seanad Éireann an annual sum by way of salary not exceeding the sum of £500.” 15

Amendment of
section 9 of
Principal Act.

12.—The following section is hereby substituted for section 9 of the Principal Act :

“ 9. (1) In this Part of this Act “ qualified Party ” means 20
a Party in Dáil Éireann, other than the Government Party, in respect of which the following conditions are complied with :

(a) that it contested the then next preceding general election for members of Dáil Éireann as an organised party, 25
and

(b) that not less than seven members of the Party were elected at such general election.

(2) Where two or more Parties in Dáil Éireann are of equal numerical strength in Dáil Éireann— 30

(a) the question as to which of them is to be regarded for the purposes of this Act as that one of those Parties which is of the greater or greatest numerical strength in Dáil Éireann shall be decided by the Chairman of Dáil Éireann, 35

(b) the decision shall be given in writing and shall for the purposes of this Act be final and conclusive and binding on all persons and tribunals whatsoever,

(c) the Chairman of Dáil Éireann shall, in giving the decision, have regard to the relative numbers in which such 40
Parties were returned to Dáil Éireann at general elections held prior to the then next preceding general election for members of Dáil Éireann.”

Amendment of
section 10 of
Principal Act.

13.—The following subsections are hereby substituted for sub-
sections (1) to (4) of section 10 of the Principal Act : 45

“ (1) Where there is one qualified Party and not more, there shall be paid to the Leader of that Party an annual sum by way of allowance for expenses of £4,500. 50

(2) Where there are two qualified Parties and not more—

(a) there shall be paid to the Leader of that one of the qualified Parties which is of the greater numerical strength in Dáil Éireann an annual sum by way of allowance for expenses of £3,000, and

(b) there shall be paid to the Leader of the other qualified Party an annual sum by way of allowance for expenses of £1,500.

(3) Where there are three or more qualified Parties—

(a) there shall be paid to the Leader of that one of the qualified Parties which is of the greatest numerical strength in Dáil Éireann an annual sum by way of allowance for expenses of £2,250,

(b) there shall be paid to each of the Leaders of the other qualified Parties an annual sum by way of allowance for expenses of £2,250 divided by the number of the other qualified Parties.

(4) An allowance payable to a person under this section shall be in addition to the allowance payable to him under the Oireachtas (Allowances to Members) Act, 1938, and shall not be payable save in respect of a period in respect of which the last-mentioned allowance is payable to him."

14.—The following section is hereby substituted for section 11 of the Principal Act: Amendment of section 11 of Principal Act.

"11. The following provisions shall apply in relation to an allowance provided for by paragraph (b) of subsection (2) or paragraph (b) of subsection (3) of the next preceding section:

(a) the allowance shall not be paid unless the numerical strength in Dáil Éireann of the Party concerned is not less than seven;

(b) the allowance shall cease to be paid if the numerical strength in Dáil Éireann of the Party concerned at any time falls below seven;

(c) if the numerical strength in Dáil Éireann of the Party concerned falls below seven by reason of the death, resignation or disqualification of a member or members of said Party, the numerical strength thereof shall, for the purposes of this section, be deemed to be not less than seven until the vacancy or each of the vacancies in Dáil Éireann caused by such death, resignation or disqualification is filled."

15.—The following subsection is hereby substituted for subsection (3) of section 14 of the Principal Act: Amendment of section 14 of Principal Act.

"(3) A ministerial pension shall be at the following rates, that is to say:

so long as the pensionable service of the person entitled thereto is three years, three hundred pounds per annum,

if and so long as such person's pensionable service is four years, three hundred and fifty pounds per annum,

if and so long as such person's pensionable service is five years, four hundred and fifty pounds per annum,
 if and so long as such person's pensionable service is six years, five hundred and fifty pounds per annum,
 if and so long as such person's pensionable service is seven 5 years, six hundred and fifty pounds per annum,
 in case such person's pensionable service is eight or more years, seven hundred and fifty pounds per annum."

Amendment of
 section 16 of
 Principal Act.

16.—The following subsection is hereby substituted for sub- 10
 section (3) of section 16 of the Principal Act :

" (3) A secretarial pension shall be at the following rates,
 that is to say :

so long as the pensionable service of the person entitled thereto
 is three years, two hundred and fifty pounds per annum,

if and so long as such person's pensionable service is four 15
 years, three hundred pounds per annum,

if and so long as such person's pensionable service, is five
 years, three hundred and fifty pounds per annum,

if and so long as such person's pensionable service is six 20
 years, four hundred pounds per annum,

if and so long as such person's pensionable service is seven
 years, four hundred and fifty pounds per annum,

in case such person's pensionable service is eight or more
 years, five hundred pounds per annum."

Amendment of
 section 18 of
 Principal Act.

17.—The following paragraph is hereby substituted for para- 25
 graph (b) of section 18 of the Principal Act :

" (b) either—

(i) where there is in Dáil Éireann one qualified Party
 within the meaning of Part III of this Act and
 not more, the Leader of that Party, or 30

(ii) where there are in Dáil Éireann two or more quali-
 fied Parties within that meaning and not more,
 the Leader of that one of those Parties which is
 of the greater numerical strength in Dáil Éireann,
 or 35

(iii) where there are in Dáil Éireann three or more such
 qualified Parties, the Leader of that one of those
 Parties which is of the greatest numerical strength
 in Dáil Éireann,

or a person nominated by such Leader,". 40

Amendment of
 section 23 of
 Principal Act.

18.—(1) The following subsection is hereby substituted for sub-
 sections (1) and (2) of section 23 of the Principal Act :

" (1) Where—

(a) a person to whom a pension under Part IV is for the
 time being payable is in receipt of any payment out of 45
 public moneys, and

(b) the aggregate of the annual amount of the pension and the annual amount of the payment out of public moneys exceeds one thousand pounds,

5 the annual amount of the pension under Part IV shall be reduced by the amount of the said excess."

(2) Subsection (3) of section 23 of the Principal Act is hereby amended by the addition at the end of the definition of "payment out of public moneys" of the following word and paragraph:

"or

10 (g) an allowance under the Oireachtas (Allowances to Members) Act, 1938 (No. 34 of 1938)."

19.—The Ministerial and Parliamentary Offices (Amendment) Repeal Act, 1947, is hereby repealed. 1947, No. 24.

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(LIUNTAIS DO CHOMHALTAÍ) AGUS
OIFIGÍ AIREACHTA AGUS PARLAI-
MINTE (LEASÚ), 1960.

OIREACHTAS (ALLOWANCES TO MEM-
BERS) AND MINISTERIAL AND PARLIA-
MENTARY OFFICES (AMENDMENT) BILL,
1960.

BILLE

dá ngairtear

Acht do leasú Achtanna an Oireachtais (Liún-
tais do Chomhaltaí), 1938 agus 1947, agus
na nAchtanna um Oifigí Aireachta agus
Parlaiminte, 1938 go 1952.

*Rite ag dhá Theach an Oireachtais,
6 Aibreán, 1960.*

BAILE ÁTHA CLIATH:

ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach dfreach ón Oifig Díolta Foilseachán Rialtais
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BILL

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An Act to amend the Oireachtas (Allowances
to Members) Acts, 1938 and 1947, and the
Ministerial and Parliamentary Offices Acts,
1938 to 1952.

*Passed by both Houses of the Oireachtas,
6th April, 1960.*

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